

IN THE UNITED STATES BANKRUPTCY COURT
 FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

DAVID E. MILLIGAN and : Bankruptcy Case No. 20-10287 TPA
 JULIE A. MILLIGAN : Chapter 13
Debtors :

PLAN CONFIRMATION ORDER

A It is hereby **ORDERED** that with the consent of the Debtor(s), the Chapter 13 Plan dated May 6, 2020, except as modified herein as checked below, is **CONFIRMED** in accord with *11 USC 1325*. On the effective date of this Order, the Chapter 13 Trustee shall pay administrative, secured and priority creditors identified in the Plan. General unsecured creditors will not receive distributions at least until the government bar date has passed and the Chapter 13 Trustee has submitted a *Notice of Intention to Pay Claims* to the Court. Confirmation of this Plan pursuant to this Order is without prejudice to reconsideration following a status conference held by the Chapter 13 Trustee to gauge the progress of Plan implementation which **Status Conference** is scheduled for N/A, (which may, upon agreement of the Parties, be continued from time to time *provided however* that following the 3rd continuance, the matter shall be set for hearing before the Court), following which time the Plan may be modified to the satisfaction of all Parties after notice and hearing before the Court, or the status conference may be marked closed by the Chapter 13 Trustee.

- ☐ 1. For the remainder of the Plan term, the periodic Plan payment is to be \$_____ as of _____. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ 2. The length of the Plan is increased to a total of ____ months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ 3. _____ shall be paid monthly payments of \$_____ beginning with the Trustee's _____ distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- X 4. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
 Claimant: The Money Source Claim #: 20
 Claimant: Quantum 3 Group LLC Claim #: 30
- ☐ 5. Additional Terms: (a) _____
 (b) _____
 (c) _____
- X 6. The Confirmation Order dated September 29, 2020, Doc. 41 is **VACATED**.

B IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

1. **Objections to the Plan:** This Order is effective as of the date indicated below. Pursuant to *Fed.R.Bankr.P. 2002(b)(3)*, any party in interest with an objection to any provision of this Confirmation Order must file a written objection within the twenty-eight (28) day period following entry of this Order. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this Confirmed Plan. The Trustee may only disburse funds pursuant to this Confirmation Order upon expiration of the foregoing twenty-eight (28) day period.

2. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

3. Review of Claims Docket and Objections to Claims. Pursuant to *LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review all proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely..

4. Motions or Complaints Pursuant to §§506, 507, or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

5. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the Plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

C IT IS FURTHER ORDERED THAT:

1. Plan terms are subject to the resolution of: timely but yet to be filed claims including government claims; all actions to determine the avoidability, priority or extent of liens, including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.

2. Following payment of allowed secured and priority claims the allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.

3. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

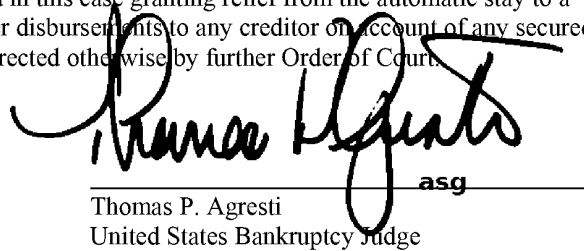
4. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

5. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' Counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

6. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

7. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising preconfirmation defaults in any subsequent motion to dismiss.

8. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any secured claim that is secured by the subject property, unless directed otherwise by further Order of Court.



asg

Thomas P. Agresti
United States Bankruptcy Judge

Dated: November 17, 2020
(Effective Date)

cc: All Parties in interest to be served by Clerk in seven (7) days

In re:
David E. Milligan
Julie A. Milligan
Debtor(s)

Case No. 20-10287-TPA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1
Date Rcvd: Nov 18, 2020

User: mgut
Form ID: pdf900

Page 1 of 3
Total Noticed: 56

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 20, 2020:

Recip ID	Recipient Name and Address
db/jdb	+ David E. Milligan, Julie A. Milligan, 7828 Route 28, Mayport, PA 16240-1632
15230988	+ Butler Memorial Hospital, P.O. Box 37171, Baltimore, MD 21297-3171
15230992	+ CBCS, P.O. Box 2724, Columbus, OH 43216-2724
15230989	+ Cap1/marcs, Po Box 30258, Salt Lake City, UT 84130-0258
15230991	+ Cbcs, Po Box 2076, Columbus, OH 43216-2076
15230994	+ Coll Svc Ctr, Pob 560, New Kensington, PA 15068-0560
15230997	+ Credit Control LLC, P.O. Box 31179, Tampa, FL 33631-3179
15231009	++ DSNB MACY S, CITIBANK, 1000 TECHNOLOGY DRIVE MS 777, O FALLON MO 63368-2222 address filed with court:, Macys/dsnb, Po Box 8218, Mason, OH 45040
15230998	+ Daniel Santucci, Esquire, 1 International Plaza, 5th Floor, Philadelphia, PA 19113-1510
15230999	+ David Santucci, Esquire, Midland Credit Management, Inc, 1 International Plaza, 5th Floor, Philadelphia, PA 19113-1510
15231000	+ Demetrious Tsarouhis, Esquire, 21 9th Street, Suite 200, Allentown, PA 18102-4861
15231004	+ Hayt, Hayt & Landau, LLC, 2 Industrial Way West, P.O. Box 500, Eatontown, NJ 07724-0500
15231008	+ Loancare, 3637 Sentara Way, Virginia Beach, VA 23452-4262
15231011	+ Midland Credit Managem, 320 East Big Beaver, Troy, MI 48083-1238
15251625	+ Midland Credit Management, Inc., PO Box 2037, Warren, MI 48090-2037
15231012	+ Midland Funding, 320 East Big Beaver, Troy, MI 48083-1238
15231014	#+ Mylappan Selvaraj MD, 600 Medical Arts Building 670, Kittanning, PA 16201-7110
15231015	Northwest Consumer Dis, Rm 55 Dubois Mall Annex, Du Bois, PA 15801
15231016	+ Penn Highlands, 2501 Oregon Pike, Lancaster, PA 17601-4890
15231017	+ Penn Highlands Brookville, 100 Hospital Road, Brookville, PA 15825-1367
15231018	+ Penn Highlands Physician Network, P.O. Box 16157, Rocky River, OH 44116-0157
15231020	+ Rezk Medical Supply, P.O. Box 520, Carrolltown, PA 15722-0520
15238755	+ Santander Consumer USA, Inc. as, servicing agent for First Midwest Bank, P.O. Box 560284, Dallas, TX 75356-0284
15243375	+ TD Retail Card Services, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
15238050	+ THE SOS GROUP, 29065 CLEMENS RD STE 200, WESTLAKE, OH 44145-1179
15231021	+ Td Rcs/littman Jeweler, 1000 Mac Arthur Blvd, Mahwah, NJ 07430-2035
15231022	+ The Money Source, P.O. Box 619063, Dallas, TX 75261-9063
15247088	+ The Money Source Inc., 500 South Broad Street Suite 100A, Meriden, Connecticut 06450-6755
15247275	UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
15240474	+ Unifund CCR, LLC, c/o Tsarouhis Law Group, 21 South 9th Street, Allentown, PA 18102-4861

TOTAL: 30

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/Text: bankruptcynotices@fifsg.com	Nov 19 2020 02:44:00	First Investors Servicing Corporation, 380 Interstate N. Parkway, Suite 300, Atlanta, GA 30339-2222
cr	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Nov 19 2020 02:57:37	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

District/off: 0315-1

User: mgut

Page 2 of 3

Date Rcvd: Nov 18, 2020

Form ID: pdf900

Total Noticed: 56

15230990	+ Email/Text: cms-bk@cms-collect.com	Nov 19 2020 02:44:00	Capital Management Services LP, 726 Exchange Street, Suite 700, Buffalo, NY 14210-1464
15230993	+ Email/Text: faith.obrien@butlerhealthsystem.org	Nov 19 2020 02:44:00	Clarion Hospital, c/o Faith OBrien, One Hospital Drive, Clarion, PA 16214-8599
15230995	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Nov 19 2020 02:44:00	Comenitybk/bonton, Po Box 182789, Columbus, OH 43218-2789
15230996	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Nov 19 2020 02:44:00	Comenitycb/boscov, Po Box 182120, Columbus, OH 43218-2120
15254605	Email/Text: bnc-quantum@quantum3group.com	Nov 19 2020 02:44:00	Department Stores National Bank, c/o Quantum3 Group LLC, PO Box 657, Kirkland, WA 98083-0657
15231001	+ Email/Text: bankruptcynotices@fifsg.com	Nov 19 2020 02:44:00	First Inv Servicing Co, 380 Interstate North Pkwy, Atlanta, GA 30339-2222
15241483	+ Email/Text: bankruptcynotices@fifsg.com	Nov 19 2020 02:44:00	First Investors Servicing Corporation, 380 Interstate North Parkway Ste 300, Atlanta, GA 30339-2222
15231002	Email/Text: GOLF_STBankruptcy@gatewayonlending.com	Nov 19 2020 02:43:00	Gateway One Lending, 175 N. Riverview Drive, Anaheim, CA 92808
15248337	+ Email/Text: bankruptcy@sccompanies.com	Nov 19 2020 02:47:00	Ginny's, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
15231003	+ Email/Text: bankruptcy@sccompanies.com	Nov 19 2020 02:47:00	Ginny's Inc, 1112 7th Ave, Monroe, WI 53566-1364
15231005	+ Email/Text: hmcgrp@aol.com	Nov 19 2020 02:44:00	Hmc Group, 29065 Clements Rd, Westlake, OH 44145-1179
15248196	Email/Text: JCAP_BNC_Notices@jcap.com	Nov 19 2020 02:46:00	Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-9617
15231006	Email/Text: JCAP_BNC_Notices@jcap.com	Nov 19 2020 02:46:00	Jefferson Capital Systems, LLC, 16 McLeland Road, Saint Cloud, MN 56303
15231007	Email/PDF: ais.chase.ebn@americaninfosource.com	Nov 19 2020 02:59:04	Jpmcb Card, Po Box 15369, Wilmington, DE 19850
15238223	Email/PDF: MerrickBKNotifications@Resurgent.com	Nov 19 2020 02:57:34	MERRICK BANK, Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
15251602	+ Email/Text: bankruptcydpt@mcmcg.com	Nov 19 2020 02:46:00	MIDLAND FUNDING LLC, PO BOX 2011, WARREN MI 48090-2011
15231010	+ Email/PDF: MerrickBKNotifications@Resurgent.com	Nov 19 2020 03:00:20	Merrick Bank Corp, Po Box 9201, Old Bethpage, NY 11804-9001
15231013	+ Email/Text: bankruptcy@sccompanies.com	Nov 19 2020 02:47:00	Montgomery Ward, 1112 7th Ave, Monroe, WI 53566-1364
15248336	+ Email/Text: bankruptcy@sccompanies.com	Nov 19 2020 02:47:00	Montgomery Ward, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
15245403	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Nov 19 2020 03:00:24	Portfolio Recovery Associates, LLC, POB 12914, Norfolk, VA 23541
15231019	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Nov 19 2020 02:57:37	Portfolio Recov Assoc, 120 Corporate Blvd Ste 100, Norfolk, VA 23502-4952
15251735	Email/Text: bnc-quantum@quantum3group.com	Nov 19 2020 02:44:00	Quantum3 Group LLC as agent for, Cognical Holdings Inc., PO Box 788, Kirkland, WA 98083-0788
15231335	+ Email/PDF: gecsed@recoverycorp.com	Nov 19 2020 02:58:55	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15236323	+ Email/Text: documentfiling@lciinc.com	Nov 19 2020 02:43:00	Tea Olive, LLC, PO BOX 1931, Burlingame, CA 94011-1931

District/off: 0315-1

User: mgut

Page 3 of 3

Date Rcvd: Nov 18, 2020

Form ID: pdf900

Total Noticed: 56

TOTAL: 26

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		The Money Source Inc.
15231023		Unknown

TOTAL: 2 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 20, 2020

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 17, 2020 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor The Money Source Inc. bnicholas@kmlawgroup.com
Kenneth P. Seitz	on behalf of Joint Debtor Julie A. Milligan thedebterasers@aol.com
Kenneth P. Seitz	on behalf of Debtor David E. Milligan thedebterasers@aol.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
William E. Craig	on behalf of Creditor First Investors Servicing Corporation ecfmail@mortoncraig.com mhazlett@mortoncraig.com;mortoncraigecf@gmail.com

TOTAL: 6